

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

WILLIS B. ANNIS.

Plaintiff,

Case No. 3:21-CV-00469-MMD-CLB

v.

MATHEW JOHNSON, *et. al.*,

## Defendants.

## **REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE<sup>1</sup>**

10 Plaintiff Willis B. Annis (“Annis”) filed an application to proceed *in forma pauperis*,  
11 (ECF No. 1). However, he did not file a complaint, as required pursuant to Fed. R. Civ. P.  
12 3, to commence an action in this Court.

13 On November 23, 2021, the Court issued an order advising Annis that he needed  
14 to file a complaint by December 27, 2021. The Court cautioned Annis that a failure to do  
15 so would result in this action being dismissed. (ECF No. 4.)

16 Since the issuance of that order, Annis has filed: (1) motion to amend list of  
17 defendants in the 1964 RICO by private party petition (ECF No. 5); (2) motion to  
18 investigate (ECF No. 6); (3) motion for legal packets (ECF No. 7); (4) motion to receive  
19 legal services (ECF No. 8); and (5) motion/order to send criminal statutes copy of codes  
20 (ECF No. 10). However, no complaint was filed.

Given his *pro se* status, the Court granted a motion to extend time and gave Annis until February 18, 2022, to file his complaint. (ECF No. 11.) Despite being given this additional time; Annis has still not filed a complaint in this case. Therefore, it is recommended that this action be dismissed without prejudice, denying the pending motions as moot, and closing this case.

1       **I. RECOMMENDATION**

2       For the reason stated above, the Court recommends that the District Court enter  
3       an order **DENYING** the motion to proceed *in forma pauperis*, (ECF No. 1), **DISMISSING**  
4       this action, without prejudice, **DENYING** the pending motions (ECF Nos. 3, 5, 6, 7, 8, 10)  
5       **AS MOOT**, and closing this case.

6       The parties are advised:

7       1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of  
8       Practice, the parties may file specific written objections to this report and recommendation  
9       within fourteen days of receipt. These objections should be entitled "Objections to  
10      Magistrate Judge's Report and Recommendation" and should be accompanied by points  
11      and authorities for consideration by the District Court.

12      2. This report and recommendation is not an appealable order and any notice  
13      of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District  
14      Court's judgment.

15      **DATED: February 24, 2022**.

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**UNITED STATES MAGISTRATE JUDGE**

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